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Victoria A. Wofford

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STRASBURGER & PRICE, LLP

ATTN: IP SECTION

1401 MCKINNEY

SUITE 2200

HOUSTON, TX 77010

EXAMINER

JOSEPH, TONYA S

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/582,412	Applicant(s) WOFFORD ET AL.	
	Examiner TONYA JOSEPH	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 and 43-58 is/are pending in the application.
- 4a) Of the above claim(s) 43-58 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) 43-58 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Newly submitted claims 43-58 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. .

1. Group I, claims 1-26 drawn to corporate travel reporting, classified in class 705, subclass 5

2. Group II, claims 43-58, drawn to electronic exchanges, classified in class 705, subclass 5.

3. The groups of inventions listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

Vance et al, U.S. Pre-Grant Publication No. 2006/0212321 A1 teaches a corporate travel information system which aggregates travel data from various formats into a common format for interested parties (see para. 59 and 82)

Applicant has added new claims, 43-47, whose subject matter has been previously indicated as being directed to distinct or independent inventions and made the dependency of these claims from base claim 1 of the elected invention. Accordingly, claims 1-26 are still considered readable thereon and will be examined, as they further limit aspects of the previously elected invention. However, unlike the above, claims 43-47, as well as newly added claims 48-58 remain directed to

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a process that is independent and distinct from the elected invention for reasons already on the record. Claims 43-58 are therefore withdrawn from consideration as being directed to a non-elected invention.

Should applicant traverse on the ground that the inventions have unity of invention (37 CFR 1.475(a)), applicant must provide reasons in support thereof. Applicant may submit evidence or identify such evidence now of record showing the inventions to be obvious variants or clearly admit on the record that this is the case. Where such evidence or admission is provided by applicant, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 43-58 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Status of Claims

Claims 1-26 are presented for examination.

Claim Objections

4. Claim 1 is objected to because of the following informalities: Claim 1 recites the limitation, “wherein said step of supplying data **including** supplying analysis of travel spending.” The Examiner is interpreting the limitation as, “wherein said step of

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supplying data **includes** supplying analysis of travel spending". Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 2, 10-11, 13 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. The term "substantially simultaneously " in claims 2 and 10-11 is a relative term which renders the claim indefinite. The term "substantially simultaneously" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. For Examination purposes, the Examiner is interpreting the occurrence of "consolidating and supplying"; "consolidating and receiving" as meeting the limitations of the claim.

8. Claim 13 recites the limitation, "wherein said step of supplying is through a display having multiple formats". It is unclear if Applicant is referring to the software of the display or the physical display itself.

9. The term "enhances" in claim 17 is a relative term which renders the claim indefinite. The term "enhances" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fredericks et al. U.S. Pre-Grant Publication No. 2004/0167808 A1 in view of Krishnan et al. U.S. Patent No. 7,383,272 B1.

12. As per Claim 1, Fredericks teaches receiving travel and credit card electronic data from the multiple electronic data sources with a computer processor (see para. 24-25 & 44); consolidating the electronic data from the sources with said processor (see para. 29); identifying a portion of the consolidated electronic data that a user is entitled to receive (see para. 71); and supplying said portion of consolidated data to said user with said processor (see para. 71); Fredericks does not explicitly teach the limitation taught by Krishnan wherein said supplying data includes supplying analysis of travel spending (see Col. 9 lines 36-48). It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the method of Fredericks to include the teachings of Krishnan to graph a trend of employee spending habits.

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13. As per Claim 2, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein the steps of consolidating and supplying occur occurs substantially simultaneously (see para. 71)

14. As per Claim 3, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said portion of said consolidated electronic data supplying further includes data for travel issues (see para. 29).

15. As per Claim 4, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said portion of said consolidated electronic data supplying further includes data for contract/audit issues (see para. 28).

16. As per Claim 5, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said sources include one or more corporate card providers, travel agency service providers, and ancillary travel service providers (see para. 26).

17. As per Claim 6, Fredericks in view of Krishnan teaches the method of claim 5 as described above. The cited portion of claim 5 meets the limitation of this claim, as the limitations of claim 5 are presented in the alternative.

18. As per Claim 7, Fredericks in view of Krishnan teaches the method of claim 5 as described above. Fredericks further teaches, wherein corporate card providers include corporate card data sources (see para. 26 and 45).

19. As per Claim 8, Fredericks in view of Krishnan teaches the method of claim 5 as described above. The cited portion of claim 5 meets the limitation of this claim, as the limitations of claim 5 are presented in the alternative.

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20. As per Claim 9, Fredericks in view of Krishnan teaches the method of claim 5 as described above. The cited portion of claim 5 meets the limitation of this claim, as the limitations of claim 5 are presented in the alternative.

21. As per Claim 10, Fredericks in view of Krishnan teaches the method of claim 5 as described above. Fredericks further teaches wherein said steps of consolidating and receiving are is done substantially simultaneously (see para. 68).

22. As per Claim 11, Fredericks in view of Krishnan teaches the method of claim 10 as described above. Fredericks further teaches wherein said steps of supplying occurring substantially simultaneously with said steps of consolidating and receiving (see para. 68 and 71)

23. As per Claim 12, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said supplying is performed through a display available to at least one of the business units (see para 71).

24. As per Claim 13, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said step of supplying is through a display having multiple formats (see para. 40).

25. As per Claim 14, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said step of supplying indicates the travelers who have potentially deviated from a policy of the business unit (see para. 69).

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26. As per Claim 15, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said step of supplying of consolidated data highlights includes pricing errors (see claim 29).

27. As per Claim 16, (Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said supplying of consolidated data indicates any traveler who has deviated from the planned itinerary of the traveler (see para. 28).

28. As per Claim 17, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said step of supplying of enhances travel budget planning (see para. 27).

29. As per Claim 18, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said step of supplying of identifies at least one of new destinations, pre-travel approvals, policy exceptions of all travelers, real time tracking of expenditures, requirements for supplier contracts and analysis relative to the current travel, performance measurement, and individual information of a specific traveler (see para. 71).

30. As per Claim 19, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said supplying is performed through one or more computer networks formed by at least one business unit and at least some of each of the travelers, management and suppliers and wherein the suppliers include credit card companies (see para. 45, 53 and 71).

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31. As per Claim 20, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said step of supplying includes the step of sorting the data (see para. 71).

32. As per Claim 21, Fredericks in view of Krishnan teaches the method of claim 20 as described above. Fredericks further teaches wherein said step of supplying includes the step of aggregating the data (see para. 71).

33. As per Claim 22, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said step of supplying of the data includes determining rights to review the data (see para. 71).

34. As per Claim 23, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein there is included the step of calculating real time metrics from said consolidated electronic the data.

35. As per Claim 24, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein there is further included the step of: initiating travel transactions (see para. 22).

36. As per Claim 25, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein said step of initiating travel transactions originates from a display unit used for said step of supplying (see para. 71, the Examiner is interpreting the display unit used by the traveler as a display unit used to supply the travel data to a manager).

37. As per Claim 26, Fredericks in view of Krishnan teaches the method of claim 1 as described above. Fredericks further teaches wherein the suppliers include at least one

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of any GDSs, travel agencies, credit card companies, and alternate travel data sources (see para. 66).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TONYA JOSEPH whose telephone number is (571)270-1361. The examiner can normally be reached on Mon-Fri, 7:30 am-5:00pm First Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571 272 0847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Shannon S Saliard/
Primary Examiner, Art Unit 3628